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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,886	07/23/2003	Yuji Tawaragi	030900	6759

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EXAMINER

AGUSTIN, PETER VINCENT

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/624,886	TAWARAGI, YUJI	
	Examiner	Art Unit	
	P. Agustin	2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 7 is/are rejected.
- 7) ☒ Claim(s) 2-6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2003 and 28 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-7 are now pending.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors, e.g.,

Page 4, line 19: "PREFEERED" should be --PREFERRED--.

Page 5, line 5: "an read only" should be --a read only--.

Page 5, line 8: "an writable" should be --a writable--.

Page 6, line 21: "racking" should be --tracking--.

Page 7, line 5: "an detected" should be --a detected--.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

6. Claims 1 & 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Furukawa et al. (US 5,684,771).

In regard to claim 1, Furukawa et al. disclose a recording medium type determining apparatus for determining a type of an optical disc in the reproducing state where the tracking servo control is kept open, said apparatus comprising: a signal generating section for generating a radial push-pull signal based on a read signal from a recording medium (note push-pull signal on Figure 5); a processing section for processing said radial push-pull signal by means of autocorrelation (on Figure 5, a focus sum signal is correlated with the push-pull signal); and a determining section for determining the type of said recording medium based on the data sent from said processing section (Figure 5, element 34 is a disk discriminating circuit).

Claim 7 has limitations similar to those of claim 1; thus, it is rejected on the same basis.

Allowable Subject Matter

7. Claims 2-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art of record, Furukawa et al., fails to teach or suggest: in claim 2, a processing section comprising: a filter section for reducing level fluctuation components due to radial runout of said recording medium included in said radial push-pull signal; a binarizing section for binarizing a signal outputted from said filter section; an autocorrelation computing section for computing an autocorrelation value for a signal sent from said binarizing section; and a maximum value detecting section for detecting a maximum value for a signal sent from said autocorrelation computing section.

Claims 3-6 are dependent upon claim 2.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Eastman (US 5,646,919) discloses a technique for determining the tracking offset in an optical recorder by correlating a mark formation signal generated during one or more trial recordings with a corresponding push-pull tracking signal.

Yanagawa et al. (US 2002/0067672) disclose a tilt servo device having a disk type discriminating circuit connected to a subtracter which outputs a push-pull signal.

Lee (US 6,466,531) discloses a disc discriminator having a comparator that compares a push-pull signal with a predetermined reference voltage and generates a discrimination signal according to the compared result.

Iimura et al. (US 2003/0165095) disclose a disc drive apparatus wherein a binarized push-pull signal is supplied to a wobble phase-lock loop, a correlation detection circuit, and a frequency detection circuit.

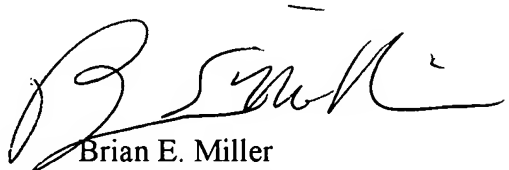
Ono et al. (US 6,822,936) disclose a disc discriminating method that discriminates the type of optical disc by comparing the amplitude of a push-pull tracking error signal with a predetermined value.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to P. Agustin whose telephone number is 571-272-7567. The examiner can normally be reached on Monday-Friday 9:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, A. L. Wellington can be reached on 571-272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

P. Agustin
Art Unit 2627



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